

(1) FOR PURPOSES OF THIS SECTION, AN OFFER TO SELL IS MADE IN THE STATE, WHETHER OR NOT EITHER PARTY IS THEN PRESENT IN THE STATE, IF THE OFFER:

(I) ORIGINATES FROM THE STATE; OR

(II) IS DIRECTED BY THE OFFEROR TO THE STATE AND IS RECEIVED AT:

1. THE PLACE TO WHICH IT IS DIRECTED; OR

2. A POST OFFICE IN THE STATE.

(2) FOR PURPOSES OF THIS SECTION, AN OFFER TO SELL IS NOT MADE IN THE STATE IF THE OFFER IS MADE IN:

(I) A NEWSPAPER OR OTHER PUBLICATION OF GENERAL, REGULAR, AND PAID CIRCULATION THAT:

1. IS NOT PUBLISHED IN THE STATE; OR

2. IS PUBLISHED IN THE STATE BUT HAS HAD MORE THAN TWO-THIRDS OF ITS CIRCULATION OUTSIDE THE STATE DURING THE PAST 12 MONTHS; OR

(II) A RADIO OR TELEVISION PROGRAM THAT ORIGINATES OUTSIDE THE STATE AND IS RECEIVED IN THE STATE.

(3) FOR PURPOSES OF THIS SECTION, AN OFFER TO BUY IS ACCEPTED IN THE STATE IF ACCEPTANCE:

(I) IS COMMUNICATED TO THE OFFEROR IN THE STATE;
AND

(II) HAS NOT BEEN COMMUNICATED PREVIOUSLY TO THE OFFEROR, ORALLY OR IN WRITING, OUTSIDE THE STATE.

(4) FOR PURPOSES OF THIS SECTION, ACCEPTANCE IS COMMUNICATED TO THE OFFEROR IN THE STATE, WHETHER OR NOT EITHER PARTY IS THEN PRESENT IN THE STATE, IF:

(I) THE OFFEREE DIRECTS ACCEPTANCE TO THE OFFEROR IN THE STATE REASONABLY BELIEVING THE OFFEROR TO BE IN THE STATE; AND

(II) THE ACCEPTANCE IS RECEIVED AT:

1. THE PLACE TO WHICH IT IS DIRECTED; OR

2. A POST OFFICE IN THE STATE.